

REMARKS

This Amendment is responsive to the Notice of Allowance mailed on March 2, 2007.

I. STATUS OF THE APPLICATION

Claims 9-17 and 32-60 are presently pending in the application. Per the Notice of Allowance, and the Examiner's Amendment, Claims 9-17 and 32-60 are allowed. The Examiner is thanked for allowing the claims.

II. INTERVIEW SUMMARY

The undersigned and Examiner Drodge conducted an interview by telephone on February 14, 2007. During the Interview, Claims 9, 32, 38, 45 and 55 were discussed, along with the prior art of record. The Examiner proposed changes to the claims to better distinguish over the prior art. Agreement on the specific language of the claims was reached during the interview. The Examiner is thanked for his courtesy in granting the interview and for his helpfulness during the interview.

III. EXPLANATION OF AMENDMENTS

The amendment to Fig. 3 adds the numeral "39" to a circle that represents a pump in the figure. The amendment to the specification adds the numeral 39 in a phrase that describes the pump already portrayed in Fig. 3. Therefore, no new matter has been added in amending the claims.

IV. Comments on Statement of Reasons for Allowance

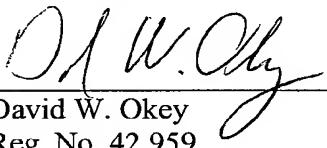
The amendments to the claims were not made for reasons related to patentability as pertains to the doctrine of equivalents under *Festo*. Each amendment broadens the claim by removing language and adds language that merely further explains limitations already present in the claim. For example, system Claim 9 has been amended to add the that fluid reservoir, already fluidly coupled to the cycler, is coupled to the fluid circuit via the cycler. The claim already includes a limitation that the cycler pumps dialysate, and the amendment requires one or more pumps for moving the dialysate. The amendment to Claim 9 does not limit the scope of the claim and thus does not preclude broad interpretation under the doctrine of equivalents.

Method Claim 32 as filed included a step of circulating dialysate along a closed path and branching a container off of the closed path. Claim 32 has been amended to recite that the dialysate circulates via one or more pumps, and by moving fluid from the fluid circuit to the container and from the container to the fluid circuit at controlled flowrates with the one or more pumps. These amendments do not limit the scope of the claim because the two-way movement of fluid is inherent in "circulating" and in using a container that branches off the closed fluid path. The same arguments may be made for independent Claims 38, 45 and 55. Accordingly, the amendments do not limit the reservoir in amended system Claim 9, nor do the amendments limit particular steps in amended method Claims 32, 38, 45, and 55.

Respectfully submitted,
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